

Law 104-52; section 31 of title 2, United States Code; section 104 of title 3, United States Code; sections 5303, 5304, 5304a, 5318, and 5382 of title 5, United States Code; section 3963 of title 22, United States Code; section 461(a) of title 28, United States Code; and section 1009 of title 37, United States Code; and sections 7306 and 7404 of title 38, United States Code, it is hereby ordered as follows:

Section 1. Statutory Pay Systems. The rates of basic pay or salaries of the statutory pay systems (as defined in 5 U.S.C. 5302(1)), as adjusted under 5 U.S.C. 5303(b), are set forth on the schedules attached hereto and made a part hereof:

(a) The General Schedule (5 U.S.C. 5332(a)) at Schedule 1;

(b) The Foreign Service Schedule (22 U.S.C. 3963) at Schedule 2; and

(c) The schedules for the Veterans Health Administration of the Department of Veterans Affairs (38 U.S.C. 7306, 7404; section 301(a) of Public Law 102-40) at Schedule 3.

Sec. 2. Senior Executive Service. The rates of basic pay for senior executives in the Senior Executive Service, as adjusted under 5 U.S.C. 5382, are set forth on Schedule 4 attached hereto and made a part hereof.

Sec. 3. Executive Salaries. The rates of basic pay or salaries for the following offices and positions, which remain unchanged pursuant to section 633 of Public Law 104-52, are set forth on the schedules attached hereto and made a part hereof:

(a) The Executive Schedule (5 U.S.C. 5312-5318) at Schedule 5;

(b) The Vice President (3 U.S.C. 104) and the Congress (2 U.S.C. 31) at Schedule 6; and

(c) Justices and judges (28 U.S.C. 5, 44(d), 135, 252, and 461(a)) at Schedule 7.

Sec. 4. Uniformed Services. Pursuant to section 1009 of title 37, United States Code, the rates of monthly basic pay (37 U.S.C. 203(a)), the rates of basic allowances for subsistence (37 U.S.C. 402), and the rates of basic allowances for quarters (37 U.S.C. 403(a)) for members of the uniformed services and the rate of monthly cadet or midshipman pay (37 U.S.C. 203(c)(1)) are set

forth on Schedule 8 attached hereto and made a part hereof.

Sec. 5. Locality-Based Comparability Payments. (a) Pursuant to sections 5304 and 5304a of title 5, United States Code, locality-based comparability payments shall be paid in accordance with Schedule 9 attached hereto and made a part hereof.

(b) The Director of the Office of Personnel Management shall take such actions as may be necessary to implement these payments and to publish appropriate notice of such payments in the *Federal Register*.

Sec. 6. Effective Dates. Schedule 8 is effective on January 1, 1996. The other schedules contained herein are effective on the first day of the first applicable pay period beginning on or after January 1, 1996.

Sec. 7. Prior Order Superseded. Executive Order No. 12944 of December 28, 1994, is superseded.

William J. Clinton

The White House,
December 28, 1995.

[Filed with the Office of the Federal Register, 3:08 p.m., December 29, 1995]

NOTE: This Executive order and the attached schedule will be published in the *Federal Register* on January 3.

Message to the House of Representatives Returning Without Approval the National Defense Authorization Act for Fiscal Year 1996

December 28, 1995

To the House of Representatives:

I am returning herewith without my approval H.R. 1530, the "National Defense Authorization Act for Fiscal Year 1996."

H.R. 1530 would unacceptably restrict my ability to carry out this country's national security objectives and substantially interfere with the implementation of key national defense programs. It would also restrict the President's authority in the conduct of foreign affairs and as Commander in Chief, raising serious constitutional concerns.

First, the bill requires deployment by 2003 of a costly missile defense system able to de-

fend all 50 States from a long-range missile threat that our Intelligence Community does not foresee in the coming decade. By forcing such an unwarranted deployment decision now, the bill would waste tens of billions of dollars and force us to commit prematurely to a specific technological option. It would also likely require a multiple-site architecture that cannot be accommodated within the terms of the existing ABM Treaty. By setting U.S. policy on a collision course with the ABM Treaty, the bill would jeopardize continued Russian implementation of the START I Treaty as well as Russian ratification of START II—two treaties that will significantly lower the threat to U.S. national security, reducing the number of U.S. and Russian strategic nuclear warheads by two-thirds from Cold War levels. The missile defense provisions would also jeopardize our current efforts to agree on an ABM/TMD (Theater Missile Defense) demarcation with the Russian Federation.

Second, the bill imposes restrictions on the President's ability to conduct contingency operations essential to national security. Its restrictions on funding of contingency operations and the requirement to submit a supplemental appropriations request within a time certain in order to continue a contingency operation are unwarranted restrictions on a President's national security and foreign policy prerogatives. Moreover, by requiring a Presidential certification to assign U.S. Armed Forces under United Nations operational or tactical control, the bill infringes on the President's constitutional authority as Commander in Chief.

Third, H.R. 1530 contains other objectionable provisions that would adversely affect the ability of the Defense Department to carry out national defense programs or impede the Department's ability to manage its day-to-day operations. For example, the bill includes counterproductive certification requirements for the use of Nunn-Lugar Cooperative Threat Reduction (CTR) funds and restricts use of funds for individual CTR programs.

Other objectionable provisions eliminate funding for the Defense Enterprise Fund; restrict the retirement of U.S. strategic delivery systems; slow the pace of the Defense

Department's environmental cleanup efforts; and restrict Defense's ability to execute disaster relief, demining, and military-to-military contact programs. The bill also directs the procurement of specific submarines at specific shipyards although that is not necessary for our military mission to maintain the Nation's industrial base.

H.R. 1530 also contains two provisions that would unfairly affect certain service members. One requires medically unwarranted discharge procedures for HIV-positive service members. In addition, I remain very concerned about provisions that would restrict service women and female dependents of military personnel from obtaining privately funded abortions in military facilities overseas, except in cases of rape, incest, or danger to the life of the mother. In many countries, these U.S. facilities provide the only accessible, safe source for these medical services. Accordingly, I urge the Congress to repeal a similar provision that became law in the "Department of Defense Appropriations Act, 1996."

In returning H.R. 1530 to the Congress, I recognize that it contains a number of important authorities for the Department of Defense, including authority for Defense's military construction program and the improvement of housing facilities for our military personnel and their families. It also contains provisions that would contribute to the effective and efficient management of the Department, including important changes in Federal acquisition law.

Finally, H.R. 1530 includes the authorization for an annual military pay raise of 2.4 percent, which I strongly support. The Congress should enact this authorization as soon as possible, in separate legislation that I will be sending up immediately. In the meantime, I will today sign an Executive order raising military pay for the full 2.0 percent currently authorized by the Congress and will sign an additional order raising pay by a further 0.4 percent as soon as the Congress authorizes that increase.

I urge the Congress to address the Administration's objections and pass an acceptable National Defense Authorization Act promptly. The Department of Defense must have

the full range of authorities that it needs to perform its critical worldwide missions.

William J. Clinton

The White House,
December 28, 1995.

Sincerely,

William J. Clinton

NOTE: This letter was made available by the Office of the Press Secretary but was not issued as a White House press release.

Letter to the Speaker of the House of Representatives on Vetoing the National Defense Authorization Act
December 28, 1995

Sir:

Today I returned to Congress without my approval H.R. 1530, the National Defense Authorization Act for fiscal year 1996, which includes authority for the annual military pay raise. I consider passage of the annual military pay raise to be of crucial importance. Accordingly, I ask Congress to consider the enclosed FY 1996 supplemental language request that would authorize a 2.4 percent pay raise and other allowance increases.

I vetoed H.R. 1530 Act because it would restrict my Administration's ability to carry out national security policy and would substantially interfere with the implementation of key national defense programs. Moreover, certain provisions in the Act raised serious constitutional issues by restricting my authority to conduct foreign affairs and to act as Commander in Chief.

Nevertheless, I believe that our men and women in uniform should not be harmed as we work to obtain a bill that I can support. Therefore, I ask the Congress to enact the supplemental language to provide the increases in military pay and housing allowances, effective January 1, 1996, that both Congress and I fully support. If this legislation is not enacted, our military personnel will receive a 2.0 percent raise instead of a needed 2.4 percent raise. The legislation is also required to provide an additional increase in the Basic Allowance for Quarters that will help improve the quality of life of our service members and their families.

Speedy enactment of this legislation is imperative at a time when our military personnel are working under challenging conditions to help implement the peace agreement in Bosnia. I urge Congress to enact this legislation as quickly as possible.

Message to the Congress on Trade With Russia

December 29, 1995

To the Congress of the United States:

On September 21, 1994, I determined and reported to the Congress that the Russian Federation is in full compliance with the freedom of emigration criteria of sections 402 and 409 of the Trade Act of 1974. This action allowed for the continuation of most-favored-nation (MFN) status for Russia and certain other activities without the requirement of an annual waiver.

As required by law, I am submitting an updated report to the Congress concerning the emigration laws and policies of the Russian Federation. You will find that the report indicates continued Russian compliance with U.S. and international standards in the area of emigration.

William J. Clinton

The White House,
December 29, 1995.

Remarks Prior to a Meeting With Congressional Leaders and an Exchange With Reporters

December 29, 1995

Federal Budget Negotiations

The President. I want to welcome the congressional leaders back here after Christmas. We're going to have, I think, a good meeting today, based on the work that has already been done this morning. I expect us to make further progress.

We will begin to deal with some of the difficult issues today involving how we can balance the budget and protect things like Medicare and Medicaid and education and the environment, which I think are very important. I believe we're proceeding in good faith, and I think we're making progress.